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MEMO ENDORSED

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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July 11, 2008

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Via Fax (212)805-7927

Hon. Naomi Reice Buchwald
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Costor v Sanders, et. al.
07CV11311 (pro se)

MEMO ENDORSED

Dear Judge Buchwald:

This letter is written on behalf of defendants respectfully to request until August 20, 2008 to respond to the pro se Section 1983 complaint alleging excessive use of force at Lincoln Correctional Facility on January 15, 2007.

So
Offered
Handwritten signature
7/14/08

Our records that as of this date, defendants Corrections Officers Ruben S. Gardner and Larry Henderson have been served with the complaint and are represented by the Office of the Attorney General ("OAG"). We estimate that their answer is currently due on July 13, 2008. It is anticipated that remaining defendants, Sergeant Berry and Corrections Officer Sanders will request representation when they are served with the complaint. The additional time is requested to permit investigation of the case and submission of a single response on behalf of all defendants. No previous requests have been made for an extension of time to respond to complaint. I did not obtain plaintiff's consent prior to making this application because he is incarcerated.

Respectfully submitted,

Handwritten signature of Donald Nowve
Donald Nowve
Assistant Attorney General
(212) 416-8227

c: Jermin Costor
Plaintiff pro se 08A2409
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